

REMARKS

Claims 1-24 are pending in this application and under consideration. Reconsideration is requested based on the following remarks.

Response to Arguments:

The Applicants appreciate the consideration given to their arguments, and the new grounds of rejection. Further reconsideration is thus requested.

Claim Rejections - 35 U.S.C. § 103:

Claims 1, 2, 3, 9, 10, 11, 17, 18, and 19 were rejected under 35 U.S.C. § 103(a) as unpatentable over US Patent No. 6,931,657 to Marsh et al. (hereinafter "Marsh") in view of US Patent No. 5,737,595 to Cohen et al. (hereinafter "Cohen"). The rejection is traversed. Reconsideration is earnestly solicited.

Claims 1, 9, and 17 recite substantially:

Retaining the character information obtained by said information obtaining unit in a way that is overwritten on the oldest retained character information.

Neither Marsh nor Cohen teach, disclose, or suggest "retaining the character information obtained by said information obtaining unit in a way that is overwritten on the oldest retained character information," as recited substantially in claims 1, 9, and 17. The Office Action acknowledges this deficiency with respect to Marsh in the first full paragraph at page 6, and attempts to compensate for it by combining Marsh with Cohen. Cohen, however, is not "retaining the character information obtained by said information obtaining unit in a way that is overwritten on the oldest retained character information," either, and thus cannot make up for the deficiencies of Marsh with respect to claims 1, 9, and 17.

Cohen, rather, calculates which records can be deleted and overwritten by new database data based on whether the particular *thematic* link of the database data entry meets a database search parameter which has been input by a user. In particular, as described at column 7, lines 63-67, continuing at column 8, lines 1-5:

Thus, the algorithm is required to calculate which records that have already been stored within the database memory 55 can be deleted and overwritten by new database data. The main parameter of the algorithm for determining the replacement of database data is the particular thematic link of the displayable record of the database data entry to a met of database search parameter which have been input with the user commands by a user using the remote control interface 16.

Since Cohen calculates which records can be deleted and overwritten by new database data based on whether the particular thematic link of the database data entry meets a database search parameter which has been input by a user, Cohen is not "retaining the character information obtained by said information obtaining unit in a way that is overwritten on the oldest retained character information," as recited in claims 1, 9, and 17.

In Cohen, moreover, the database handling means replaces the old record with the new record if the incoming record is deemed to be relevant in the light of the *search* parameters. In particular, as described at column 8, lines 13-21:

If the database memory 55 is full, then the database handling means refers to the search parameters which correspond to the current input user commands, if they exist, as represented by block 81. If the incoming record is deemed to be relevant in the light of the search parameters, then the database handling means calculates which records may be deleted and overwritten by the incoming record and replace the old record with the new record.

Since, in Cohen, the database handling means replaces the old record with the new record if the incoming record is deemed to be relevant in the light of the search parameters, Cohen is not "retaining the character information obtained by said information obtaining unit in a way that is overwritten on the oldest retained character information," as recited in claims 1, 9, and 17. Thus, even if Marsh and Cohen were combined as proposed by the Office Action, the claimed invention would not result.

Marsh, moreover, teaches away from the modification proposed by the Office Action in the section entitled "Background," where he describes storing programs for a specified period of time, i.e. until they are the oldest, and then erasing them as unfortunate. In particular, as described at column 1, line 62-67:

Unfortunately, these conventional devices tend to be relatively unsophisticated in that they only record user definable programs and/or service provider suggested channels. Moreover, these devices employ circular buffering techniques, wherein programs are recorded to a hard drive, stored for a specified period of time, and then erased (viewed or not) to make room for a later recorded program.

Since Marsh describes storing programs for a *specified* period of time and then erasing them as unfortunate, it is submitted that persons of ordinary skill in the art who read Marsh for all it contained would not have viewed overwriting "the oldest retained character information" as making good sense either. Claims 1, 9, and 17 are submitted to be allowable. Withdrawal of the rejection of claims 1, 9, and 17 is earnestly solicited.

Claims 2, 3, 10, 11, 18, and 19 depend from claim 1, claim 9, or claim 17 and add further distinguishing elements. Claims 2, 3, 10, 11, 18, and 19 are thus also submitted to be allowable.

Withdrawal of the rejection of claims 2, 3, 10, 11, 18, and 19 is also earnestly solicited.

Claims 1-4, 9-12, and 17-20:

Claims 1-4, 9-12, and 17-20 were rejected under 35 U.S.C. § 103(a) as unpatentable over U.S. Patent No. 6,751,401 to Arai et al. (hereinafter "Arai") in view of Marsh and Cohen. The rejection is traversed. Reconsideration is earnestly solicited.

Neither Marsh nor Cohen teach, disclose, or suggest "retaining the character information obtained by said information obtaining unit in a way that is overwritten on the oldest retained character information," as discussed above with respect to the rejection of claims 1, 9, and 17 over the combination of Marsh and Cohen. Arai does not either, as acknowledged graciously by the Office Action in the first full paragraph at page 8. Thus, even if Arai, Marsh, and Cohen were combined as proposed in the Office Action, the claimed invention would not result.

Marsh, moreover, teaches away from the modification proposed by the Office Action in the section entitled "Background," where he describes storing programs for a specified period of time and then erasing them as unfortunate. Claims 1, 9, and 17 are submitted to be allowable. Withdrawal of the rejection of claims 1, 9, and 17 is earnestly solicited.

Claims 2, 3, 4, 10, 11, 12, 18, 19, and 20 depend from claim 1, claim 9, or claim 17 and add further distinguishing elements. Claims 2, 3, 4, 10, 11, 12, 18, 19, and 20 are thus also submitted to be allowable. Withdrawal of the rejection of claims 2, 3, 4, 10, 11, 12, 18, 19, and 20 is also earnestly solicited.

Claims 1, 2, 3, 5, 9, 10, 11, 13, 17, 18, 19, and 21:

Claims 1, 2, 3, 5, 9, 10, 11, 13, 17, 18, 19, and 21 were rejected under 35 U.S.C. § 102(e) as anticipated by U.S. Patent Application Publication No. 2002/0120925 to Logan et al. (hereinafter "Logan") in view of Cohen. The rejection is traversed. Reconsideration is earnestly solicited.

Neither Logan nor Cohen teach, disclose, or suggest "retaining the character information obtained by said information obtaining unit in a way that is overwritten on the oldest retained character information," as recited substantially in claims 1, 9, and 17. The Office Action acknowledges this deficiency with respect to Logan in the first full paragraph at page 11, and attempts to compensate for it by combining Logan with Cohen. Cohen, however, is not "retaining the character information obtained by said information obtaining unit in a way that is overwritten on the oldest retained character information," either, as discussed above with respect to the rejection of claims 1, 9, and 17 over the combination of Marsh and Cohen, and thus cannot

make up for the deficiencies of Logan with respect to claims 1, 9, and 17. Thus, even if Logan and Cohen were combined as proposed in the Office Action, the claimed invention would not result. Claims 1, 9, and 17 are submitted to be allowable. Withdrawal of the rejection of claims 1, 9, and 17 is earnestly solicited.

Claims 2, 3, 5, 10, 11, 13, 18, 19, and 21 depend from claim 1, claim 9, or claim 17 and add further distinguishing elements. Claims 2, 3, 5, 10, 11, 13, 18, 19, and 21 are thus also submitted to be allowable. Withdrawal of the rejection of claims 2, 3, 5, 10, 11, 13, 18, 19, and 21 is also earnestly solicited.

Claims 6, 7, 8, 14, 15, 16, 22, 23, and 24:

Claims 6, 7, 8, 14, 15, 16, 22, 23, and 24 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Logan and Cohen in view of Arai. The rejection is traversed. Reconsideration is earnestly solicited.

Claims 6, 7, 8, 14, 15, 16, 22, 23, and 24 depend from claim 1, claim 9, or claim 17 and add further distinguishing elements. Neither Logan nor Cohen teach, disclose, or suggest "retaining the character information obtained by said information obtaining unit in a way that is overwritten on the oldest retained character information," as discussed above with respect to the rejections of claims 1, 9, and 17. Arai does not either, as acknowledged graciously by the Office Action in the first full paragraph at page 8, and thus cannot make up for the deficiencies of either Logan or Cohen with respect to any of claims 6, 7, 8, 14, 15, 16, 22, 23, and 24. Thus, even if Logan, Cohen, and Arai were combined as proposed in the Office Action, the claimed invention would not result. Claims 6, 7, 8, 14, 15, 16, 22, 23, and 24 are thus also submitted to be allowable. Withdrawal of the rejection of claims 6, 7, 8, 14, 15, 16, 22, 23, and 24 is also earnestly solicited.

Conclusion:

Accordingly, in view of the reasons given above, it is submitted that all of claims 1-24 are allowable over the cited references. Allowance of all claims 1-24 and of this entire application is therefore respectfully requested.

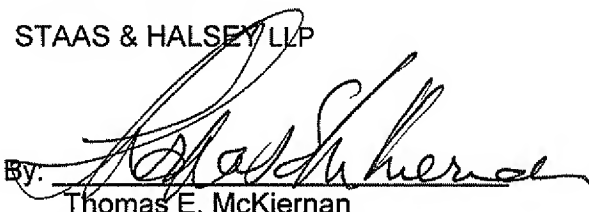
Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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